

UNITED STATES DISTRICT  
SOUTHERN DISTRICT OF NEW YORK

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TRANSPORTES NAVIEROS Y  
TERRESTRES, S.A. DE C.V.,

Plaintiff

07 CV 3076 (LAP)

-against-

FAIRMOUNT HEAVY TRANSPORT N.V.,

Defendant.

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DECLARATION OF MARIO FLORES REYES

1. My name is Mario Flores Reyes; I was born in Cuauhtémoc, Tamaulipas, Mexico, on October 19<sup>th</sup>, 1962. I have a degree in Mechanical Engineering and have been working for the Company Transportes Navieros y Terrestres, S.A. de C.V., with address in Carretera Paraíso, Puerto Ceiba, kilómetro 1, s/n, col. Quintín Arauz, Municipio Paraíso, Villahermosa, Tabasco, C.P. 86600, Mexico, since 2000. Until 2006, I worked as Chief Engineer and since December 2006, I have been working as Port Engineer.
2. This declaration is submitted in support of Plaintiff Transportes Navieros y Terrestres, S.A. de C.V., in Fairmount Heavy Transport N.V.'s Motion to Vacate the Attachment.
3. I was working on board of the vessel CABALLO AZTECA, in my capacity as Chief Engineer when the arrest papers were served. While being in presence of the Captain of the vessel, I saw and heard him telling the process servers that the vessel was not owned by Oceanografía, S.A de C.V., rather by Transportes Navieros y Terrestres, S.A. de C.V. Furthermore, the Captain showed them documents proving that Transportes Navieros y Terrestres, S.A. was the owner of the vessel CABALLO AZTECA.



4. It was then reported to Hermilo Escobedo Obrador, the legal representative of the Company Tranportes Navieros y Terrestres, S.A. de C.V., that the arrest had taken place and that we had advised to the process servers that the vessel was owned by Tranportes Navieros y Terrestres, S.A. de C.V.

I certify under penalty of perjury under US law that the above statements are true to the best of my memory and belief.

Executed on this 7<sup>th</sup> Day of May 2007

A handwritten signature in black ink, appearing to be a stylized 'X' or a similar mark, located to the right of the execution date.